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in accordance with 37 CFR § 1.6(d) on the date indicated.

Karen Ziller
Name

Aug. 3, 2006
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors: T. Cech et al.

Filing Date: Nov. 19, 1997

Serial No: 08/974,584

Docket: 015389-002950US
018/206p2Title: FUNCTIONAL HOMOLOGS OF HUMAN
TELOMERASE REVERSE TRANSCRIPTASE
CONTAINING THE TELOMERASE T MOTIF

Art Unit: 1634

Examiner: Carla J. Myers, Ph.D.

SECOND DECLARATION UNDER 37 CFR § 1.132

CALVIN B. HARLEY, Ph.D.

Commissioner for Patents
Alexandria VA 22313

Dear Sir:

I, CALVIN HARLEY, do hereby declare as follows:

I understand the Examiner has asked questions relating to the sequences described and
claimed in U.S. Patent 6,309,867, filed on October 29, 1999.

PATENT
USSN 08/974,584
Docket 002950US; 018/206p2

Just as in U.S. Patent 6,093,809 referred to in my last Declaration, the 6,309,867 Patent describes the cloning and sequencing of genes for telomerase reverse transcriptase obtained from several single-celled organisms, and from human cells. The human TRT sequence was obtained through a collaboration between Thomas Cech, Joachim Lingner, and Toru Nakamura of the University of Colorado, and Karen B. Chapman, Gregg B. Morin, Calvin B. Harley, and William Andrews at Geron Corporation.

Even though various TRT sequences are disclosed, the 6,309,867 Patent only claims SEQ. ID NO:69, which is the protein sequence of TRT for *Schizosaccharomyces pombe*. Like other single celled organisms, this sequence is less than 50% identical to that of human TRT protein. The *pombe* sequence was obtained by Thomas Cech and Toru Nakamura, and the inventorship of the patent is indicated accordingly.

I hereby declare that all statements made in this Declaration of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

2006.08.03
Date

Calvin B. Harley
Calvin B. Harley, Ph.D.
Menlo Park, CA